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William Alston # 07273-016
FCC Petersburg Low
P.O. Box 1000
Petersburg, VA 23804

September 27, 2007

RE: ROBIN BEVEVINO

Dear Mr. Alston,

Enclosed is a copy of the tape recorded interview with Mr. Robin Bevevino. After the tape stopped rolling, Mr. Bevevino added the following: The maintenance foreman, MIKE SALERANO, hand wrote over safety sheets and the first shift received respirators and notes requesting they only do certain pallets of jobs. Mr. Bevevino also added he knew for certain the dust collection machines were not cleaned as they should have been.

I hope this letter and transcript are received by you prior to your court date. Please let me know you have received them.

Please contact me with any questions.

Sincerely,

Matthew W. Psillas

Exhibit "D"

MATTHEW PSILLAS
Private Investigator
1903 West 8th St. #175
Erie, PA 16505

Client: William Alston

Date of Interview: Tuesday, September 25, 2007

Mr. Robin Bevevino
605 Stanton Hill Road
Russell, PA

MP: This is Matthew Psillas. Today is September 25, 2007. The time is 4:00 p.m. I'm at 605 Stanton Hill Road, Russell, PA and I'm with Mr. Robin Bevevino. Mr. Bevevino, do you understand that this, ah, interview is being taped?

RB: Yes.

MP: And would you please spell your first and last name.

RB: ROBIN. BEVEVINO.

MP: Do I have your address correct as 605 Stanton Hill...

RB: Yes, sir.

MP: ...Russell, PA? Your date of birth?

RB: 07/18/56.

MP: I'm working for Mr. Alston and Mr. Alston has prepared, ah, some questions for you regarding, ah, Unicore. You understand that this interview is regarding that?

RB: Yes.

MP: First question. When did you first find out the material microboard contained silica dust?

RB: Um, at least I'd say three to four months prior to, ah, ah, shit hitting the fan. I should probably, ah, I shouldn't swear.

MP: That's all right. Three or four months before there was a problem when...

RB: Well...

MP: ...approximately when?

RB: ...there, there was a problem but like I said, um, we worked on trying to resolve some of the issues and we had the union president along with safety manager and superintendent of industry, um, the captain or lieutenant would come down also but. The majority of stuff was addressed but nothing was really ever done about it.

MP: Okay. So when do you, when was the issue brought, ah, to, to knowledge then?

RB: I, I.

MP: To get a time frame for the three or four months before?

RB: Yeah, I, I would have to say, you know, I, it's tough on me to re, you know.

MP: _____ sure.

RB: ...recall exactly.

MP: Exactly, you know. Approximately what, what month and year then?

RB: I would say 2004. Um, probably the beginning of, you know, like January, February.

MP: January, February. Okay.

RB: I'm guessing or estimating.

MP: That's perfect. When did you report to your union representative that you had been harmed by the materials being cut at Unicore.

RB: Ah, I don't know as much as being harmed as the fact that just breathing the dust and the, you know, ah, stuff being blown around and breathing it, inhaling it.

MP: So it was, was it the beginning of 2004 or the three or four months before that?

RB: Oh, I would, it, it's actually, it was going on for years. No one had the knowledge or, you know, ever looked into what, MSDS Sheets or Material Data Safety. And we started, you know, I started looking stuff up on my own. Ah, I was having respiratory problems and severe like sinus and, ah, you know, actually was allergic to, you know, had allergies. I, I believe to it.

MP: So this was the entire time that you were working with the micro, microboard...

RB: Yes. Silica dust.

MP: ...silica dust? Okay.

RB: Yep.

MP: So it was, it was actually years then prior to any alert that there may be a problem with this material?

RB: Yes.

MP: Did your union investigate your claim as part of the investigation, um, regarding Steve Housler, Marty Satco? Did, did the union investigate the claims that you had?

RB: Hmm, hmm.

MP: What did they, what did they do?

RB: Union president, ah...

MP: Okay.

RB: ..I, I gave me him information on what we were breathing, what parts of the factory to look for stuff. Um.

MP: What was the union president's name?

RB: Rich Youchivan (spelling).

MP: Okay. Youchivan.

RB: Yeah. Something like that. It's Y O U C H I something.

MP: Okay. Youchivan. And he was the union president at that time and.

RB: Hmm, hmm.

MP: ..ah, well prior to 2004 for certain?

RB: Yep.

MP: Okay. Was it well known amongst the rest of the staff that Unicore, that the microboard dust was hazardous?

RB: Ah, not until, ah, like OSHA came in or just prior to OSHA coming in.

MP: Okay. Do you remember approximately when OSHA came in?

RB: Um, that would be, I'd have to, I, I'm gonna, I'm gonna say March or April.

MP: March or April of 2004. Okay.

RB: I, I believe.

MP: All right. Have you ever notice the silica or particle board dust, ah, becoming and remaining airborne for a period of time?

RB: Oh, yes.

MP: When machined?

RB: Yep.

MP: Okay.

RB: Yep.

MP: Were there dust collection systems?

RB: Yes.

MP: And even with those dust collection systems, you still.

RB: Were not, they, they weren't strong enough, drawing enough air to suck the dust, you know.

MP: No doubt, no doubt in your mind that you could see?

RB: Oh, yeah.

MP: Okay.

RB: Um, it supposed to be, um, it supposed to be cut with a chop blade.

MP: Hmm, hmm.

RB: And they were using, ah, regular saw blade which creates even more dust, fires. And then it, it's such nasty stuff that the inmates that were cutting it actually stood there with, ah, air nozzles and blew it so they weren't breathing it which, you know, sent it.

MP: More airborne?

RB: Oh, yeah. And we then probably had like I'd say 10 fans half the size of your vehicle...

MP: Okay.

RB: ...that, you know, just circulated or blew air. Well, you know, 'cause we didn't have air conditioning. So I mean that second shift like a day like today, it could almost be 100 in there, and you know. Everybody's blowing, you know, and those fans are blowing and just all this was just shifted, you know. Everybody was breathing it in.

MP: Everybody was breathing that silica...

RB: Hmm, hmm.

MP: The inmates then were using air nozzles you said, air compressors to get the dust away from where they were working at?

RB: Their area, yeah. Right. And blowing it like to another area and then they would basically blow it, you know, back and (laughs)...

MP: Okay.

RB: ...in that direction.

MP: So the dust collection systems were not useful in picking up that dust?

RB: Yeah, they, they set up a couple machines. Well, ah, the perfect example would be, ah, a shop vac...

MP: Hmm, hmm.

RB: ...that you would have in your home maybe even.

MP: Sure.

RB: Not very big.

MP: Right.

RB: You know.

MP: Right.

RB: You know. Three foot high maybe, two foot around or whatever. Ah, they had that hooked up to one of the machines that they were operating which was ridiculous. It couldn't handle, you know, sucking that dust up.

MP: Have you ever talked to Steven Housler about the hazards of the dust?

RB: Oh.

MP: Prior to, prior to April of 2003.

RB: No.

MP: No. Afterwards though?

RB: Yeah.

MP: Okay.

RB: He really didn't want to talk, you know what I mean, to me whatsoever.

MP: What was his title or his position?

RB: Safety manager.

MP: Okay. Have you ever talked to Marty Satco about the hazards of the board dust prior to April of 2003?

RB: (No audible response).

MP: He you did? What was his title or his, his..

RB: Um, factory manager.

MP: Okay.

RB: At the time.

MP: Did he do anything about it or, or...

RB: No.

MP: ...express the same concerns?

RB: Listen and like always and basically no reaction.

MP: Okay.

RB: My superintendent, everything shouldn't be pointed at Satco either. Our superintendent was Debbie Forsyth.

MP: Okay.

RB: She even, you know, walked around with, with the OSHA _____ and the safety manager. She would promise to do things and nothing got done.

MP: And you said her title was?

RB: Superintendent.

MP: So worried about images.

RB: Hmm, hmm.

MP: Those were the questions that, ah, Mr., ah, Alston wanted to know specifically. Is there anything else that you'd like to add? That's what he was specifically interested in. Is there anything else you to add?

RB: Oh, yeah.

MP: This is, this is your opportunity.

RB: I mean you can let him know, um, we were breathing, ah, a red glue that would, that had the, you know, the MSDS sheets on that had respiratory failure. And skin and eye irritation.

MP: Okay.

RB: Is that dangerous actually. It was highly flammable liquid and it was sprayed and once it went through the spray booth and went into a heat tunnel. As it comes out the heat tunnel, you can stand back, you know how you look at the road and see a mir, like a mirage from the heat coming up off the blacktop?

MP: Yes.

RB: You can actually see the vapors when it would come out through the heat tunnel prior to us putting a sheet on top of a board and you can actually see the, the vapors and stuff coming out of the machine.

MP: Okay.

RB: Also, um, the for, um, the particleboard itself, it's got formaldehyde.

MP: Okay.

RB: And, ah, you know, you know different. You know 'cause all it is is dust, you know, in, in a, you know, put them together and make like quicksand and then they, somehow they pour it, and then they dry it. It's just, you know, just breathing it, and inhaling that stuff, you know. It, it has to be well ventilated area. Ah, and drilling it, you know, routing it, and then shaping it, stuff like that was the same thing. Blowing it all over, you know, and breathing it. Again, the same kind of, but, it's a little bit heavier when, you know. It wouldn't fly and float as much as the microboard but.

MP: It wasn't quite as airborne?

RB: Right.

MP: But it's still, it still...

RB: It's still

MP: You're still breathing it.

RB: Yep.

MP: Ah, knowing that you, you told Debbie Forsythe about the different problems, ah, that would be at approximately sometime before the beginning of 2004, do you know when it was brought to her attention that you know that she knew for certain?

RB: I would have to say around December maybe.

MP: December right before the beginning of the year then. So December of 03.

RB: Probably 03, yeah.

MP: Okay.

RB: I mean stuff was covered up, you know. Ah, in my, in my estimation and time, I mean inmates in, in the first shift, I worked second shift.

MP: Hmm, hmm.

RB: I mean came to me and told me that they had a meeting upstairs amongst all staff members but for some reason I wasn't included in the meeting.

MP: And what was your title?

RB: Ah, ah, woodworking foreman.

MP: Woodworking foreman.

RB: Hmm, hmm.

MP: So you, you believe you should have been involved in those meetings?

RB: Oh, yes.

MP: Because you were woodworking foreman. That was...

RB: That and the union...

MP: ...that was perfectly normal?

RB: ...union steward, yes.

MP: Okay.

RB: And then these inmates told me and, ah, quite a few staff members also _____ also mentioned, um, that basically she threatened everybody by telling them that if we have to put hundreds of thousands of dollars into this dust collection and everything that was going on, it, that they might shut Unicore down and they won't have a job. To me that's like a threat. You know, threatening other staff members that if you got involved or said anything, you know, just 'cause one or two were doesn't, you know. Said if anybody ganged up that there was a chance but that's not true. I mean if there's problems, should be fixed and taken care of no matter what the cost is.

MP: Right.

RB: You know.

MP: Where, did you feel you have any specific health problems from breathing that in still today?

RB: Ah, the only thing I could tell you is my respiratory and sinus infections aren't nearly, you know. I have them very rare compared to when, when I was there.

MP: When you were there, the health problems were significantly more?

RB: Oh, yeah. Yep. Probably, I worked eight years in food service. I mean, think of how many in, 12, 1300 inmates coming through the line every day spitting, coughing and stuff. And virtually never was sick. After being in the factory after a period of time constantly respiratory and sinus infections.

MP: And how long did you work there?

RB: Oh, almost seven...

MP: From what years.

RB: ... seven years.

MP: Seven years. From what year approximately?

RB: I would say, ah, probably from, um, 90. Let's see when was that. I can't actually, I can't pinpoint. I'd say around, you know, um, 1999 or 2000.

MP: Okay.

RB: And this was something that they would knew. You know what I'm saying. That it was just, we walked in the factory just like guys ahead of us and they knew better than to do what they were doing. You know. But like, um, he should mention in there also that, ah, and I'm very sad about that too is, um, they altered, ah, the MSDS sheet.

MP: Do you know who specifically did?

RB: No. I have a good idea though.

MP: And MSD sheet.

RB: The one, the one that, all I'll say is whoever is supposed to handle the MSDS sheets, that did them.

MP: Hmm, hmm.

RB: Is probably the one that. They actually for the microboard, there was a line drawn. And these guys saw it too, some of the inmates. There was a line drawn through where it said respirator.

MP: Hmm, hmm.

RB: You're never supposed to touch, you don't touch the MSDS sheet but they put a black, you know, magic marker line through. And you can still read respirator.

Right beside it, they drew a picture of a dust mask and said dust mask. Now as soon as OSHA come, they put it back on. OSHA left, they took it back off. I, you know, I have documentation and photos of the.

MP: You do.

RB: Oh, yeah.

MP: Oh, you have that?

RB: Hmm, hmm.

MP: Okay.

RB: I have a book about that big.

MP: Okay. About, about a five inch, ah, five inch book on all this material?

RB: Hmm, hmm. You know, to try to, you know, protect myself too, you know, in the process.

MP: Sure. Sure.

RB: Yep.

MP: Okay. That, ah, finishes the questions, ah, from me. Ah, Mr. Bevevino, do you understand that this interview, ah, was tape recorded?

RB: Yes.

MP: All right. The time is 4:50. Again, this is Matthew Psillas on September 25, 2007.

END OF INTERVIEW

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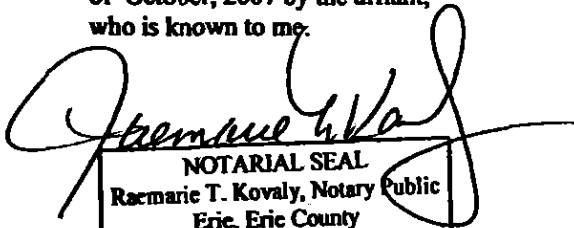
AFFIDAVIT OF INTERVIEW


Date of Interview, Tuesday, September 25, 2007

I, Matthew W. Psillas, of Matthew W. Psillas Investigations, being duly sworn depose and say that on Tuesday, September 25th at 4:00 PM I conducted the attached 11 page tape recorded interview with Mr. Robin Bevevino at 605 Stanton Hill, Russell, PA.

I do certify that I have no interest in the above action and that I am over the age of eighteen years.

Sworn and subscribed to
before me on the 16 day
of October, 2007 by the affiant,
who is known to me.


NOTARIAL SEAL
Racmarie T. Kovaly, Notary Public
Erie, Erie County
My commission expires August 3, 2008


Matthew W. Psillas
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